



**MINNESOTA  
JUDICIAL  
BRANCH**

**First Judicial District**

**Mission:** To provide justice through a system that assures equal access for the fair and timely resolution of cases and controversies.

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The First Judicial District has 36 judges and more than 250 staff that handle over 120,000 cases annually in the counties of Carver, Dakota, Goodhue, Le Sueur, McLeod, Scott and Sibley.

# The First Edition

A Newsletter about the First Judicial District of the State of Minnesota

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JULY 2016

## Plan to Establish Drug Court in Scott County Receives Final Approval from Minnesota Judicial Council

After months of planning by justice system and county officials, a proposal to establish a new drug court program in Scott County has received final approval from the Minnesota Judicial Council, the policymaking body of the Minnesota Judicial Branch.

“Drug courts are a proven criminal justice tool that reduce recidivism, save costs, and change the lives of those suffering from addiction,” said First Judicial District Judge Christian S. Wilton, who will serve as one of the two judges presiding over Scott County’s Drug Court. “It has taken a tremendous amount of partnership and work in our community to bring this program together, and this approval from the Minnesota Judicial Council is a critical step toward launching this important effort later this fall.”

Plans to establish the Scott County Drug Court were developed in response to a wave of opiate overdoses in the County, which coincided with an 84 percent increase in annual controlled substance convictions in the County from 2011 to 2015. A coalition of local justice system and County leaders came together to develop strategies to combat these alarming trends, with a focus on addressing the role mental health issues and addiction were playing in the rise of drug abuse in the County. County officials looked toward the documented success of established drug courts across the state, and decided to bring that model to Scott County with the aim of combating recidivism and addressing addiction among drug offenders in the County.

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Scott County Drug Court Approval  
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Scott County officials hope to open the Drug Court program in October. The goal of the program is to give drug-addicted, non-violent felony offenders the support, structure, and accountability they need to complete treatment for their addiction and avoid future criminal offenses. Ultimately, County leaders hope the program will help reduce overdose deaths and drug crime in the County, while promoting public safety and reducing long-term costs in the criminal justice system.



Drug courts involve close collaboration between judges, prosecutors, defense counsel, treatment providers, probation officers, law enforcement, educational and vocational experts, and community leaders. Through this collaboration, drug courts closely monitor a defendant’s progress toward sobriety and recovery through ongoing treatment, frequent drug testing, and regular mandatory check-in court appearances. The programs use a range of immediate sanctions and incentives to foster behavior change.

The Scott County Drug Court will require offenders to complete five phases over a

minimum of 14 months. Throughout the program, all participants will be required to take random drug tests, appear regularly before a judge, and adhere to a nightly curfew. A Drug Court coordinator will ensure that participants are actively participating in required drug treatment and mental health services, while also working with local service programs to help participants with housing and other critical needs.

County officials have already engaged in significant planning and training in anticipation of opening the new Drug Court program, and coalition members have already developed a policy manual for the program, detailing policies, procedures, eligibility criteria, and admission processes. The judges and staff who will operate the program attended national training in drug court best practices, and the Scott County Board of Commissioners allocated \$900,000 over the next three years to implement the program.

“This has truly been a community-wide effort to address the community-wide problem of drug abuse,” said First Judicial District Judge

Rex D. Stacey, who will preside over the Scott County Drug Court alongside Judge Wilton. “We have had a great cooperation and considerable financial support from the Scott County Board and Scott County Administrator Gary Shelton. We see opiate and heroin addiction as an epidemic, and drug courts as a way to literally save lives and reduce crime.”

Before granting final approval of the program, members of the Minnesota Judicial Council reviewed the implementation plan and policy manual for the new Drug Court program and verified that it will meet state and national best practices and standards. With Judicial Council approval, the Scott County Drug Court will be eligible to apply for ongoing state funding from the [Minnesota Drug Court Initiative](#).

While rising opiate abuse was one of the key drivers for development of the program, the Scott County Drug Court will also help combat the serious issues of alcohol and methamphetamine abuse in the County. Alcohol was a primary drug of abuse among 40 percent of County residents admitted for treatment in 2015, according to the Minnesota Department of Human Services. Heroin and other opiates were the drug of abuse in 27 percent of treatment admissions, while methamphetamine was the drug of abuse in

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*Scott County Drug Court Approval*  
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21 percent of treatment admissions.

### **Drug Courts: A Proven Model**

Drug courts are one of the most heavily studied and evaluated criminal justice tools. Many state and national studies have shown the real, positive impact of drug courts: reduced recidivism, lower incarceration costs, and better outcomes for offenders struggling with addiction.

Minnesota has conducted several evaluations of the drug court programs in the state. A summary of those evaluations, with

links to the complete reports, is available [here](#).

### **“Heroin addict thanks judge for saving her life” - Local TV story highlights Scott County District Court’s work to battle addiction**

In June, a local television news station brought a camera into the Scott County Government Center to tell the story of a young woman who, having suffered from heroin addiction, now credits First Judicial District Judge Chris Wilton with saving her life. Since 2014, Judge Wilton held nearly 30

probation review hearings with the defendant, carefully monitoring her treatment and recovery from addiction. On June 3, Judge Wilton released the woman from probation, noting she had maintained sobriety for more than 400 days.

“If I didn’t meet Judge Wilton, I would kept going until I died. Somehow he saw something and I’m lucky he did. He saved my life,” the young woman told KARE 11 news.

The full story, and video, from KARE 11 news is available [here](#).

## **District Court eFiling and eService Mandatory for Attorneys, Government Agencies, Guardians ad Litem, and Sheriffs Statewide on July 1**

Beginning July 1, 2016, attorneys, government agencies, guardians ad litem, and sheriffs are required to electronically file and serve documents in all district court cases filed in Minnesota using the Judicial Branch’s eFiling and eService system (eFS). Previously, eFS was mandatory for these filers in 11 pilot courts, while it remained optional in the state’s other 76 district courts.

For other filers – such as self-

represented litigants – use of eFS will remain optional. These filers are able to choose whether to file on paper or through eFS, though Minnesota’s Court Rules require that once a filer has used eFS to file a document, he or she must continue using the system for all future documents filed in that case.

Also on July 1, law enforcement agencies and prosecutors across the state are required to electronically file

charging documents in adult criminal cases with the district courts; charging documents in juvenile delinquency cases will continue to be filed on paper. Prosecuting agencies statewide must use the MN Bureau of Criminal Apprehension’s (BCA) eCharging system for filing criminal complaints. That same system supports the electronic filing of citations by law enforcement agencies.

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*eFiling and eService Mandatory*  
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The use of the BCA's eCharging system is already common across the state, with prosecutors in 85 counties and more than 600 law enforcement agencies in the state using the system.

The transition to electronic filing and service is part of the Minnesota Judicial Branch's eCourtMN initiative, which has transformed the state's court system by replacing paper-based court files with an electronic information environment.

Minnesota Supreme Court Chief Justice Lorie S. Gildea has called eCourtMN "the largest transformation in the 150-year history of Minnesota's Judicial Branch."

The goal of the initiative has been to make the state's court system more accessible, more efficient, and more convenient for court customers.

One of the key elements of the eCourtMN initiative is giving case participants the ability to submit documents to the court and serve documents to opposing parties electronically, through an online portal.

This allows court customers to file documents without traveling to the

courthouse or paying for postage or courier costs, and to file documents outside of courthouse business hours.

The Minnesota Judicial Branch began pilot testing eFS in 2012, and the system became available statewide at the end of 2015. Today, more than 200,000 documents are being eFiled with Minnesota district courts every month.

"Over the past several years, the Minnesota Judicial Branch has been undergoing a historic transformation that has made our courts more accessible, more efficient, and better able to meet the needs of the people we serve," said Chief Justice Gildea. "July 1 marks a major milestone in this transformation, as it will mean the vast majority of court filers will now be electronically filing and serving court documents across the state. This transition has provided new convenience for our customers, created new efficiencies for law enforcement and other government agencies, and improved access to court records."

#### **Training and Resources Available to Filers**

More information about the mandatory use of eFiling, eCharging, and eCitations is outlined in this document: [Overview: Mandatory Electronic Filing and Service](#).

In order to help attorneys, government agencies, guardians ad litem, and sheriffs with mandatory eFiling and eService, the Minnesota Judicial Branch has posted informational resources, training materials, and a three-step guide to starting eFiling at [www.mncourts.gov/eFile](http://www.mncourts.gov/eFile).

The Minnesota Judicial Branch also offers live and recorded online training webinars. Online training resources are available [here](#).

The Minnesota Judicial Branch also operates the statewide [eFS Support Center](#) to answer questions and assist filers with the eFS system. The eFS Support Center is staffed Monday through Friday from 8:30 a.m. to 4:30 p.m., and can be reached at 651-227-2002 (from metro area codes), 1-855-291-8246 (from all other area codes), or by e-mail via the Minnesota Judicial Branch [website](#).



## Charles O. Brill Receives First Judicial District Amicus Curiae Award



L to R: Judge Michael Savre, Charles Brill, and Chief Judge Terrence Conkel

the courtrooms. He served as the part-time McLeod County law librarian from 1989 to 2016. For over twenty five years he has been an appointed “court visitor”, meeting and filing important reports on individuals who are the subject of guardianship or conservatorship petitions in McLeod and Sibley Counties. Chuck has also has been a process server in McLeod County working with the courts and the legal community.

According to Chief Judge Conkel, “Chuck has consistently provided exemplary and dedicated service to the courts in a manner that has always been positive and professional. He has been a true ‘friend of the courts’ and is very deserving of this award”.

Past recipients of the Amicus Curiae Award are: Liz Reppe, Dana McKenzie, Merlyn Meinerts, Mary Freyberg, the law firm of Lindquist & Venum, Sharon Freiling, Karissa Richardson, Dan Beeson, Wayne Jagow, Lloyd Moosbrugger, Bob Morris, Jerome Wickert, and Mary Stapleton.

The First Judicial District presented its sixth annual Amicus Curiae Award to Charles “Chuck” Brill on June 9, 2016. The Amicus Curiae Award, meaning Friend of the Court, is an annual recognition of persons who have provided exceptional service, leadership or other contributions to assist the courts in the First Judicial District discharge their constitutional responsibility for the administration of justice. Chuck Brill was nominated by First District Chief Judge

Terrence Conkel for his exemplary and dedicated service to the courts.

Chuck Brill has worked in many capacities for the courts over a long period of time. He served as the primary bailiff in McLeod County from 1989 to 1999. As bailiff he provided not only security in the courthouse, but he also actively managed case scheduling, coordinated efforts with court administration, and provided crowd control in

## Governor Dayton Appoints Douglas C. Bayley and Jamie L. Cork to Fill First Judicial District Vacancies

On June 10, 2016, Governor Mark Dayton announced the appointments of Douglas C. Bayley and Jamie L. Cork as District Court Judges in Minnesota's First Judicial District. Mr. Bayley is replacing the Honorable Thomas W. Bibus, and will be chambered at Red Wing in Goodhue County. Ms. Cork is replacing the Honorable Patrice K. Sutherland, and will be chambered at Hastings in Dakota County.

"It is my pleasure to appoint Mr. Bayley and Ms. Cork to serve as judges in the First Judicial District. They bring a diverse range of professional experiences and possess extensive records of public service," said Governor Dayton. "I thank both of them for their desire to continue serving the people of Minnesota in these new roles."

Minnesota's First Judicial District consists of Carver, Dakota, Goodhue, Le Sueur, McLeod, Scott, and Sibley Counties.

More information on the Commission on Judicial Selection, as well as vacancies it is currently considering, can be found at <http://mn.gov/governor/appointments/judicial-appointments/>.

### About Douglas C. Bayley



Douglas C. Bayley

Mr. Bayley is an Assistant Public Defender in the First Judicial District Public Defender's Office, where he represents defendants in criminal cases. Previously, he was an attorney at Lundblad, Fossum & Zrimsek, a law clerk to the Hennepin County Public Defender's Office, and a Senior Duty Officer at the White House Situation Room and National Security Council, as a Foreign Service Officer in the U.S. Department of State. He earned his B.A. from Carleton College, his M.A. from the John Hopkins School of Advanced International Studies, and his J.D. from the

University of Minnesota Law School.

Mr. Bayley serves on the Board of Directors for the Anderson Center at Tower View and the Hedin-Hartnagel Memorial Fund



### About Jamie L. Cork



Jamie L. Cork

Ms. Cork is an Assistant Hennepin County Attorney, where she works in the Child Protection Division. Previously, she was an adjunct professor at Hamline University School of Law and the University of St. Thomas School of Law, a counselor at Ryan Community, Inc., and a patrol officer in Outagamie County in Wisconsin. She earned her B.A. from Mount Senario College in Wisconsin and her J.D. from Hamline University School of Law.

Ms. Cork is a member and past Vice President of the Japanese American Citizens League and a member of the Minnesota

Statewide Human Trafficking Task Force, Hennepin County Girls Continuum of Care Committee, and the Indian Child Welfare Act Education Day Committee.

## Prince Case Keeps Court Staff Active

By Richard Crawford, Managing Editor, Southwest News Media

Although the visitors and tributes to Paisley Park are slowing down, the work sorting out Prince's estate is just amping up.

Just ask Carver County Court Administrator Kristen Trebil-Halbersma, who is in charge of tracking and coordinating legal issues surrounding the pop music icon's estate.

Trebil-Halbersma, who has been the court administrator in Carver County for about 18 months, said the Prince estate case is by far the biggest case in that time.

"We are still very early in the case," she said.

Sorting out the Price estate is more complex than many probate matters because no will has been identified and numerous people have submitted claims as potential heirs.

All that has contributed to numerous legal filings that have kept the 15-member department busy.

### Broad Responsibilities

The court administrator staff is in charge of filing and tracking all the legal paperwork associated with the case, as well as setting court schedules and coordinating court calendars with all the parties involved in the case.

Most court cases involve two or three attorneys, Trebil-Halbersma said. The Prince

case has close to 20 attorneys involved.

There are also some attorneys from out of state who are not as familiar with Minnesota court rules.

In addition to accommodating the legal representatives, Trebil-Halbersma said her office also has had to dedicate extra time handling media requests. "For a while we had a couple media outlets camped out in front of our office," she said.

Media inquiries have come from local, state, national and international organizations, she said.

The state court information office has assisted with creating a media website portal to keep media members apprised of the latest information on the case, she said.

### Keeping Pace

Trebil-Halbersma said the office has been able to keep pace with the extra workload by expanding the hours of one probate clerk to full-time and by receiving support from court staff from elsewhere in the First Judicial District, which includes seven counties. Trebil-Halbersma said it is not uncommon for the



Members of the media crowded around a vehicle that took Tyka Nelsen, Prince's sister, and others away from the court hearing May 2

district to share staff at times of heavy workload.

She said the staff has been "doing a phenomenal job, working incredibly hard with a great attitude. I think that, as an office, we have come together very much as a team and are able to manage a case like this due to their professional skills."

The court administrator's office also works with the Carver County Sheriff's Office to ensure the safety of visitors coming to legal hearings.

Trebil-Halbersma said it's difficult to estimate how long legal hearings could continue regarding the Prince estate.

Judge Kevin Eide is assigned to the case.

(Original article published on June 15, 2016. Reprinted with permission.)



## Law Day Highlights Across the First District

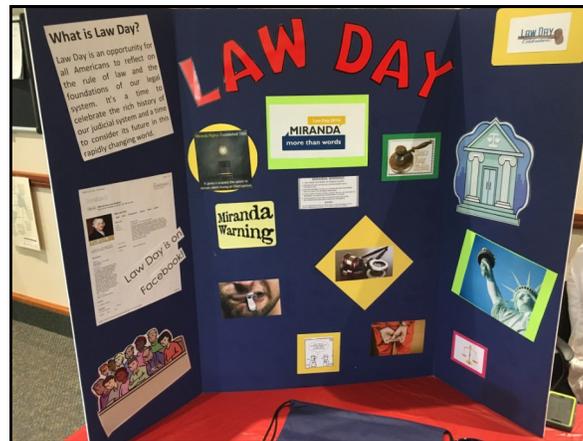
By Chris Channing, Goodhue County Court Administrator

Since 1958, the legal community celebrates law day on May 1<sup>st</sup>. This day is used to focus on our nation's commitment to the rule of law, as well as educate society on a specific aspect of our wondrous legal system.

This year's theme was **Miranda: More than Words**, and no this is not some focus on Lin Manuel Miranda and his smash musical, but instead it is about *Miranda v. Arizona* and the procedural protections afforded to all by the U.S. Constitution.

The First District used this day to host many varied activities. Due to May 1<sup>st</sup> falling on a weekend our activities were sandwiched on either side of that day.

On April 29<sup>th</sup>, Goodhue County Court Administration and the Goodhue County Law Library hosted an education table in the lobby, which allowed for the public to interact and further their knowledge about *Miranda*.



Additionally, individuals who stopped into court could take a short quiz about *Miranda* and enter to win a prize. They also sponsored a poster contest for students in 5<sup>th</sup> to 12<sup>th</sup> grade in Goodhue County. The First District Court Administrators voted on the winner based upon the follow factors - message, visual effectiveness, and universal appeal. This event was well received and Ms. Loeshke from Cannon Falls High School had all of her classes participate. The winner was Sophie Epps from Cannon Falls.

The Scott County Court Administration Office, Volunteer Lawyers Network, Southern Minnesota Regional Legal Services, St Croix Legal Services, the Scott County Child Support Office, and the Scott County Law Library combined efforts to provide a fantastic full day of activities on May 2<sup>nd</sup>. These ranged from demonstrations on searching for case information, mini consultations focused on family and criminal law questions, as

well as a clinic on the possibility of seeking an expungement. Additionally, child support officers were available to assist those who had questions in regards to their case. They even had an attorney on hand to discuss various government benefits programs.

These yearly events help ensure our participants have access to information they need, as well as understand the important role the law as well as the courts play in maintaining a fair and just society.



# Law Day



## Chief Justice Gildea Proclaimed Juror Appreciation Week May 2-6, Urged Awareness of Jury Duty Scams



Minnesota Supreme Court Chief Justice Lorie S. Gildea proclaimed May 2 to May 6, 2016 as Juror Appreciation Week. The Judicial Branch used this occasion to express appreciation for those Minnesotans who have answered the call to jury service. A copy of the Chief Justice's proclamation can be found [here](#).

Chief Justice Gildea also used Juror Appreciation Week to urge Minnesotans to protect themselves from jury duty scams. The Minnesota Judicial Branch posted information about jury duty scams on its website at <http://www.mncourts.gov/jury>, and Judicial Branch staff distributed posters to local community centers and government building across the state warning people of the dangers of these scams. A copy of the poster can be found [here](#).

"Jury service is a privilege and responsibility of citizenship, providing the opportunity for people from diverse

backgrounds to have direct contact with our democracy and to actively participate in the justice system, said Chief Justice Gildea. "It is a sad reality that a growing number of people are being targeted by dishonest con artists who prey on people's trust through deceitful jury duty scams. As we celebrate Juror Appreciation Week and recognize the dedication of citizens who report for jury service, we are also urging Minnesotans to learn about and protect themselves from the potentially devastating consequences of these scams."

While jury duty scams take many forms, typically they occur through fraudulent phone calls and e-mails that threaten a citizen with fines, prosecution, or imprisonment for failing to comply with jury service in federal or state courts. The citizen is asked to provide payment to the scammer, or to divulge private information that the scammer can use for identity theft purposes.

Last year, the National Center for State Courts reported that "jury service scams have become increasingly common and are an insidious threat to the integrity of state and federal courts."

Chief Justice Gildea reminds all Minnesotans that if they are summoned for jury duty, initial contact will always be made by U.S. Mail in the form of a juror summons from a county district court. Minnesota courts will never contact a person by phone or e-mail and seek payment of fines, Social Security numbers, credit card information, or any other sensitive information in response to missed jury duty.

Any person receiving a suspicious call or e-mail seeking financial or private data related to missed jury duty is urged to contact their local county sheriff's office. Any person with questions about their jury duty should contact their local district court. Contact information can be found at <http://www.mncourts.gov/jury> by clicking on the "County Jury Info" tab.

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